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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,172	12/21/2000	Burl Shannon Hinkle	17243-00036	2917

7590 07/28/2005

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EXAMINER

FELTEN, DANIEL S

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,172

Applicant(s)

HINKLE ET AL.

Examiner

Daniel S. Felten

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-13, 16-23, 25-33, 36, 37 and 40-46 is/are rejected.
- 7) ☒ Claim(s) 9, 10, 14, 15, 24, 34, 35, 38 and 39 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/17/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application, (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on June 17, 2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8, 11-13, 16, 18- 23, 25-33, 36, 37 and 40-46 rejected under 35 U.S.C. 102(b) as being anticipated by Kosiba et al (US 6,098,052)

Re claims 1, 21, 45, a system for prioritizing debt collections comprising (see col. 2, ll. 11-29), at least one computer (see fig. 1B),

a server configured to generate a collection of prioritization for outstanding items stored with said system based on uploaded user input (see fig. 1B, col. 3, ll. 35-54);

generate reports of collection activity on the outstanding items and

queue prioritized items to users to drive collection efforts (see col. 2, ll. 11-53; col. 3, ll. 35-54); and

a network interconnecting said server to said computers (see fig. 1B, col. 3, ll. 35-54)

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Re claims 2, 22, 46, said server is configured to generate a collection priority value based upon at least one of a number of days past due for an item, a value of an item, a customer's total outstanding balance, a customer's credit score, a customer's internal payment history score, a number of days since action due date for an item, and a total number of open items for that customer (see col. 8, ll. 47+).

Re claims 3 and 23, said server is configured to generate an updated collection priority value from uploaded collection data (see col. 4, ll. 18-28, ll. 30-39).

Re claims 4, 27, 32, 33, said server is determine a time for a next customer contact based on uploaded collection data (see col. 4, ll. 47-49; and col. 3, ll. 35-54; and col. 2, ll. 11-53).

Re claims 5, said server is configured with data to preclude a number of items from collection efforts (see col. 2, ll. 11-28).

Re claims 6, 28, 29, said server configured to upload at least one action code for each item, the action code entered by a user (see SRC number, fig. 14)

Re claims 7, 26, 30, said server is configured with action codes for at least one of a proof of delivery sent, an invoice copy faxed, referred to legal collections, referred to adjustments, faxed statement to customer, left a message for customer to call back, spoke with the right person

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but did not get a promise to pay, received a promise to pay, busy signal, no answer, applied payment and credit memo (see fig. 6, col. 5, ll. 16+).

Re claims 8 and 31, said server is configured to remove an item from said system when the item balance is zero (see fig. 6, col. 5, ll. 16+).

Re claim 11, 25, wherein said server is configured to upload a red alert regarding an item and further configured to send an abuse to a use if a red flag has been applied to an time previously with a predetermined period (see col. 2, ll. 11-53; col. 3, ll. 35-54)

Re claim 12, said server is configured to generate collector reports on a cycle of at least one daily, weekly, monthly and quarterly (see col. 2, ll. 11-53; col. 3, ll. 35-54)

Re claim 13, said server is configured to prompt a collector action based upon at least one of customer of customer balance, days since letter sent, and time since last customer contact (see col. 4, ll. 54+)

Re claim 16, 36, said server is further configured to generate a list of items ordered by collection priority value (see col. 7, ll. 11+).

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Re claim 18, 37, 41-44, wherein said server is further configured to show data relating to the efficiency of collection efforts by a collector (see col. 1, ll. 4+).

Re claim 19, wherein said server is further configured to show data relating to at least one of number of matters referred to a lawyer for collection, number of adjustments, number of invoices faxed (see col. 3, ll. 35-54).

Re claim 20, wherein said server is further configured to show data relating to at least one of number of debtors who failed to answer, number of correct debtors contacted, number of messages left, and number of promises to pay received (see col. 4, ll. 30+).

Re claim 25, comprising means for a user to upload at least one of action codes regarding an item and a red flag regarding an item, said system further comprising means to send an abuse notice to a user if a red flag has been applied to an item previously within a predetermined period (see col. 19, ll. 26+).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kosiba et al (US , 6,098,052)

Re claim 17, Kosiba discloses a network but fails to disclose wherein said network is at least one of the Internet, an intranet, a local area network (LAN), a wide area network (WAN), dial-in-connections, cable modems and special high-speed ISDN lines. However, because Kosiba uses computers and servers to perform various functions in the system, it is obvious that one of ordinary skill in the art would have been familiar with the notoriously old and well known LAN, WAN, Internet, dial-in connections etc., (being the latest in network technology) and have used this conventional knowledge to carry out remote processes performed by the system between the user and system and/or between peripheral computing devices. Thus to provide the latest aforementioned networking technology would constitute an art recognized equivalent to the network disclosed by Kosiba as well as be considered an obvious expedient to one of ordinary skill in the art.

Allowable Subject Matter

5. Claims 9, 10, 14, 15, 24, 34, 35, 38 and 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show a system wherein the customer's internal pay history score is

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calculated by the equation disclosed in claims 9, 24 and 34. The prior art does not disclose a priority value that is calculated using the equation found in claims 14 and 38.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Felten whose telephone number is (703) 305-0724. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel S Felten
Examiner
Art Unit 3624

DSF
July 14, 2005



JAGDISH N. PATEL
PRIMARY EXAMINER